

# Notice of Allowability

Application No.

09/698,429

Examiner

King Y. Poon

Applicant(s)

GASE, STEPHEN T.

Art Unit

2624

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 8/19/2004.
2. ☒ The allowed claim(s) is/are 11-15; renumbered as 1-5.
3. ☒ The drawings filed on 19 August 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

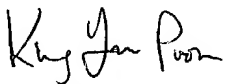
\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

  
KING Y. POON  
PRIMARY EXAMINER

1. The following is an examiner's statement of reasons for allowance:

The invention is directed to a method of printing and calculating the amount of marking material used for the printing.

Claims 11 identify the uniquely distinct features of "converting the print job to a universal format file, transmitting the universal format file to a print server; copying the universal format file to generate a copied file; and as a first task: converting the universal format file to a page description language (PDL) file; processing the PDL file including at least selecting an image-forming device for the print job; transmitting the PDL file to the selected image-forming device to print the print job; and as a second task, separate from the first task: converting the copied file of the universal format file to raster data; counting the number of image elements corresponding to the print job contained in the raster data" The closest prior art Samuels (US 5,937,225), teaches a similar method of printing and calculating the amount of marking material used for the printing, either singularly or in combination with other cited references, fail to anticipate or render the above underline limitations obvious (to be used with other claimed limitations).

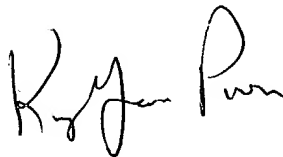
Claim 11 requires the original (not being copied/reproduced) universal file, converted from a print job, to be converted to a PDL file; and the original universal file, converted from the print job, to be copied/regenerated into a copied file and the regenerated/copied file (not the original) is then converted to raster data.

Fig. 2; and column 3, lines 35-45, Samuels states that printer specific streams of bits is being fed to both a printer and entity 32. Clearly, Samuels teaches there are two signals-one received by the printer, one received by the entity 32. However, Samuel does not teach the signal received by the entity 32 is generated by copying the signal being sent to the printer. Therefore, Samuel does not teach sending the generated printer specific streams to a printer, reproducing a copied printer specific streams from the generated printer specific streams and sending the copied printer specific streams (not the generated printer specific streams) to the entity 32.

The application is also allowed because of the persuasive argument presented in, page 15, lines 29-38 and page 16 of the remarks filed on 8/19/2004.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is (703) 305-0892.

A handwritten signature in black ink, appearing to read "King Y. Poon", is centered on the page.

11/9/04

KING Y. POON  
PRIMARY EXAMINER